

County Council Of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 12

Resolution No. 170 -2015

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION authorizing the sale of certain Utilities Infrastructure to American Water Operations and Maintenance, Inc., a contractor for the Defense Logistics Agency-Energy, upon such terms and conditions as the County Purchasing Agent deems proper.

Introduced and read first time November 2, 2015.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Read for a second time at a public hearing on November 16, 2015.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on December 7, 2015.

Certified By Jessica Feldmark  
Jessica Feldmark, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1           **WHEREAS**, Section 4.129(d) of the Howard County Code authorizes the County  
2 Purchasing Agent, with the approval of the County Executive and the County Council, to sell or  
3 lease surplus supplies to the State or any political subdivision or agency of the State, or to the  
4 Federal Government upon such terms and conditions as the County Purchasing Agent deems  
5 proper; and

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7           **WHEREAS**, in 2011, the County and the National Security Agency (“NSA”) agreed the  
8 County would construct a reclaimed water delivery system to NSA’s Fort Meade campus (the  
9 “Federal Contract”); and

10  
11           **WHEREAS**, the County established and completed capital project W-8323 for the  
12 construction of the delivery system and, pursuant to the Federal Contract, was reimbursed for the  
13 construction costs by the federal government; and

14  
15           **WHEREAS**, under the capital project, the County installed 8,000 linear feet of 20 inch  
16 ductile iron water pipe plus associated valves and ancillary appurtenances, one above ground  
17 storage tank (1,000,000 gallons), an altitude/check valve system, a re-chlorination system, and  
18 controls (the “Utilities Infrastructure”); and

19  
20           **WHEREAS**, pursuant to the Federal Contract, the delivery system within the boundary  
21 of the National Security Agency is to be transferred to the federal contractor which maintains all  
22 of the infrastructure within Fort Meade (and other bases in the U.S.A.); and

23  
24           **WHEREAS**, the federal contractor is American Water Operations and Maintenance, Inc.,  
25 a corporation organized and existing pursuant to the laws of the State of Texas (“American  
26 Water Operations”); and

27  
28           **WHEREAS**, the County Executive has approved the sale of the Utilities Infrastructure to  
29 American Water Operations upon such terms and conditions as the County Purchasing Agent  
30 deems proper.

1           **NOW, THEREFORE, BE IT RESOLVED**, by the County Council of Howard County,  
2 Maryland this 7<sup>th</sup> day of December, 2015 that it approves the sale of the Utilities  
3 Infrastructure to American Water Operations upon such terms and conditions as the County  
4 Purchasing Agent deems proper.